

## Insurance costs are growing

■ Rising liability insurance costs and legal battles are facing the green industry through the rest of the decade. Costs for insurance and legal defense fees constitute two major expenditures already in a number of golf course and company budgets.

John Moulder of Moulder Bros., Glendale, Calif., says his company spends about \$300,000 annually on insurance. He estimates that the fees have risen 450 percent in the last few years. However, he says, his legal fees are even larger.

Moulder Bros. currently faces about 15 lawsuits, either active or threatened. One involves a Naval employee who allegedly had an allergic reaction to a herbicide being sprayed by the company on a Naval installation. The suit is for between \$130,000 and \$140,000.

Golf clubs are also getting caught in the liability trap. Debates have surfaced over when clubs and courses are liable for injuries and damage resulting from wayward golf balls.

Courses built out in the boondocks 10 years ago now are in the middle of large residential areas. California (again) has led the way in the liability game. The "here first" argument does not hold up in court there (Sierra Screw Products v. Azusa Greens, Inc. 1979), the courts contending that courses are liable for damage and injury on adjacent property even though the property was developed after the course was in place and operating.

In addition, court cases have found clubs liable for spectator injury during tournaments. Perhaps clubs and tournaments should adopt a policy similar to that in place at many major league baseball parks such as Cleveland, which flashes a disclaimer on the scoreboard before each game releasing the team and organization from liability. Basically, it says by coming to the event the spectator assumes responsibility for an injury.

Clubs can successfully defend against liability cases if they can prove that "reasonable care" was taken in protecting residents adjacent to the course through design.

## Registration fees causing stink

■ Pesticide manufacturers are raising their voices against an EPA proposal to add a registration fee above and beyond the normal fee required to prepare papers under FIFRA.

Fees would vary based on the type of application a company makes to EPA, ranging from \$163,000 for new chemicals to \$600 for amendments to registered ones. The fees could put many small business in critical condition, or worse.

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